IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:22-cv-00111-MR

JAMES L. MURPHY,	
Petitioner,	
vs.	ORDER
STATE OF NORTH CAROLINA,	
Respondent.	

THIS MATTER is before the Court on the Petition filed by the Petitioner on May 23, 2022. [Doc. 1]. As best as can be discerned from the pleading, the Petitioner appears to challenge his state court conviction under 28 U.S.C. § 2254. [Doc. 1].

The Petitioner was convicted on March 21, 2019 of robbery with a dangerous weapon in Scotland County, North Carolina. [Doc. 1-1]. He is presently incarcerated at the Franklin Correctional Center in Franklin County, North Carolina.

State prisoner habeas corpus petitions may be brought either in the federal judicial district in which the state court of the conviction is located or in the district of confinement. See 28 U.S.C. § 2241(d). The Petitioner's place of conviction is located in the Middle District of North Carolina and his

present place of incarceration is located in the Eastern District of North Carolina. As such in accordance with 28 U.S.C. § 2241(d) and joint order of the United States District Courts for the Eastern, Middle and Western Districts of North Carolina (Joint Order, In re: Applications for Writs of Habeas Corpus (Oct. 26, 1966), the Court shall transfer this action to the United States District Court for the Middle District of North Carolina.

This Court has not conducted an initial review of the petition and makes no observation as to its merits or timeliness.

IT IS, THEREFORE, ORDERED that:

- 1. This action is transferred to the Middle District of North Carolina.
- 2. The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: June 9, 2022

Martin Reidinger

Chief United States District Judge